

STAFF REPORT  
September 25, 2008

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**No. 08SR018 - SDCL 11-6-19 Review to allow the construction of a sign on public property**      **ITEM 26**

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GENERAL INFORMATION:

APPLICANT/AGENT	Lon Van Deusen for City of Rapid City
PROPERTY OWNER	City of Rapid City
REQUEST	<b>No. 08SR018 - SDCL 11-6-19 Review to allow the construction of a sign on public property</b>
EXISTING LEGAL DESCRIPTION	Tract 8 of Rapid City Greenway Tract, Sections 3, 4 and 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 145.611 acres
LOCATION	3040 Jackson Boulevard
EXISTING ZONING	Park Forest District - Flood Hazard District
SURROUNDING ZONING	
North:	Park Forest District - Low Density Residential District
South:	Low Density Residential District - Office Commercial District
East:	Park Forest District - Low Density Residential District - Flood Hazard District
West:	Public Use District - Medium Density Residential District
PUBLIC UTILITIES	City Water/Sewer
DATE OF APPLICATION	2/25/2008
REVIEWED BY	Jared Ball / Ted Johnson

RECOMMENDATION:

**Staff will recommend that the SDCL 11-6-19 Review to allow the construction of a sign on public property be approved.**

GENERAL COMMENTS: (Update: September 12, 2008. All revised and/or added text is shown in bold.) This item was continued at the July 24, 2008 Planning Commission meeting because the required Flood Plain Development Permit had not been obtained and the required revised site plan had not been submitted for review and approval. Staff met with the applicant on September 8, 2008 to discuss the Flood Plain Development Permit and the required site plan. On September 12, 2008 the applicant submitted a complete site plan and obtained a Flood Plain Development Permit. As such, staff recommends that the SDCL 11-6-19 Review to allow the construction of a

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**sign on public property be approved.**

This is a request by the City of Rapid City- Parks Division for approval to construct an identification sign on public land pursuant to the requirements of an 11-6-19 SDCL. The property is located in the Flood Hazard Zoning District and the Park Forest Zoning District at Jackson Park north of Jackson Boulevard between Soo San Drive and Sheridan Lake Drive. The applicant is proposing to construct an 8' x 4' identification sign that is 5 feet, 6 inches tall and reads "Welcome to Jackson Park".

South Dakota Codified Law 11-6-19 states that "whenever any such municipal council shall have adopted the comprehensive plan of the municipality or any part thereof, then and thenceforth, no street, park, or other public way, ground, place, space, no public building or structure, no public utility, whether publicly or privately owned, if covered by the comprehensive plan or any adopted part thereof, shall be constructed or authorized in the municipality or within its subdivision jurisdiction as defined in § 11- 6-26, until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission". The proposed ground sign is being constructed on public property and the property is identified as being located within the area covered by the Rapid City Comprehensive Plan requiring that the improvements be reviewed and approved by the Rapid City Planning Commission.

**STAFF REVIEW:**

The applicant has submitted a site plan identifying the proposed sign location. The submitted site plan is not drawn to scale and does not identify other features on the property such as existing signs, utility locations, existing structures, and other features located on-site. Staff has concerns that utilities and irrigation lines may be potentially damaged during the installation of the proposed sign. Further, the sign may be located in a sight triangle. Staff recommends that the applicant submit a revised site plan that is drawn to scale and identifies all existing utilities, existing signs, existing structures, irrigation lines as well as any drainage/utility easements if applicable.

In addition, because of spacing requirements in regard to ground mounted signs the applicant's site plan must identify any existing signs located on the property. Furthermore, a detailed site plan drawn to scale is needed to ensure that the proper setback for the sign is being provided. A detailed site plan drawn to scale also is needed in order to determine the proposed sign's proximity to the federally designated flood plain. **On September 12, 2008 the applicant submitted a complete site plan and obtained a Flood Plain Development Permit. As such, staff recommends that the SDCL 11-6-19 Review to allow the construction of a sign on public property be approved.**

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